

From: [Craig Kaufman](#)
To: [Pamela Travis](#)
Cc: [Kevin Shade](#); [Lisa Price](#); [Stephen Capuyan](#)
Subject: Re: Fw: Tronox - proposed CD and environmental settlement agreement has been lodged with the court today
Date: 12/07/2010 02:13 PM

Feel free to call me anytime to see if you can catch me -- this week is filling up, but my schedule is wide open on Monday the 13th.

For my benefit, can you please identify the 20+ sites you're referring to? And are you only curious about sites in NM or also sites in other states in Region 6?

▼ [Pamela Travis---12/07/2010 12:16:17 PM---Thanks for the settlement documents, Craig. Our review here in Region 6 indicates that there are ju](#)

From: Pamela Travis/R6/USEPA/US
To: Craig Kaufman/DC/USEPA/US@EPA
Cc: Lisa Price/R6/USEPA/US@EPA, Kevin Shade/R6/USEPA/US@EPA, Stephen Capuyan/R6/USEPA/US@EPA
Date: 12/07/2010 12:16 PM
Subject: Re: Fw: Tronox - proposed CD and environmental settlement agreement has been lodged with the court today

Thanks for the settlement documents, Craig. Our review here in Region 6 indicates that there are just over 20 sites that are in New Mexico and not on Navajo Nation land. My program clients are interested in knowing whether Region 6 can access the settlement funds for further investigation and response activities at these sites once the court enters the decree. Would you be available sometime this week or next to discuss with us? Today and tomorrow are booked solid on my calendar, but later in the week or early next week work well for me. Many thanks and please let me know.

▼ [Fw: Tronox - proposed CD and environmental settlement agreement has been lodged with the court today](#)

Fw: Tronox - proposed CD and environmental settlement agreement has been lodged with the court today

Craig Kaufman to: Pamela Travis

12/01/2010
11:04 AM

Pamela,

Per your e-mail request, attached please find the settlement docs. Let me know if you have any questions or would like to discuss.

Thanks - Craig

----- Forwarded by Craig Kaufman/DC/USEPA/US on 12/01/2010 11:59 AM -----

From: Craig Kaufman/DC/USEPA/US
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Date: 11/23/2010 06:38 PM

Subject: Fw: Tronox - proposed CD and environmental settlement agreement has been lodged with the court today

All,

At long last, the proposed Tronox settlement agreement was lodged with the bankruptcy court today (see massive documents attached for your files/reference). The settlement will be subject to a 30-day comment period. Pasted below is the EPA press release, which includes a link with supporting web content.

Many thanks to all of you for your hard work on this case. On behalf of EPA (and to foreclose "reply all" e-mails from clogging everyone's inbox), I can't thank the DOJ team -- Tomoko and Rob, in particular, as well as Fred and Alan -- enough for their tireless and excellent work on the settlement documents.

We'll reconvene next week to discuss any questions surrounding the settlement and next steps regarding the Anadarko litigation. Safe travels and happy Thanksgiving to everyone.

Best - Craig

U.S. Announces \$270 Million Bankruptcy Settlement with Chemical Manufacturer

Release date: 11/23/2010

Contact Information: Stacy Kika, kika.stacy@epa.gov, 202-564-0906, 202-564-4355

WASHINGTON - The U.S. Environmental Protection Agency (EPA), the U.S. Justice Department and the United States Attorney for the Southern District of New York today announced that Tronox Incorporated has agreed to resolve its environmental liabilities for \$270 million and 88 percent of Tronox's interest in a pending litigation. The bankruptcy settlement will reimburse EPA for past cleanup costs and fund future cleanups at contaminated sites across the country.

Tronox and 14 of its affiliates filed for protection under Chapter 11 of the U.S. Bankruptcy Code on Jan. 12, 2009 in the U.S. Bankruptcy Court for the Southern District of New York. At the time of the bankruptcy filing, the company was potentially responsible for past costs incurred and future response costs under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA, commonly known as Superfund) and the Resource Conservation and Recovery Act (RCRA) relating to sites throughout the country, as well as for penalties under CERCLA, RCRA, the Clean Air Act, and the Clean Water Act.

Under the terms of the settlement, Tronox will pay \$270 million in cash. The majority of the funding will be placed in five environmental response trusts for the cleanup of numerous sites, most of which have been contaminated with hazardous substances or waste. Non-cash assets, such as insurance and financial assurance assets worth at least \$50 million, including property located in Henderson, Nev., will also be provided by Tronox to the environmental response trusts.

Tronox, a Delaware corporation based in Oklahoma City, Okla., is a multi-national chemical company that makes and sells titanium dioxide and other specialty chemicals used in plastics, paper and inks.

The company has customers located in more than 90 countries and operates in North America, Europe, and Australia. Tronox was created through a spin-off from the Kerr-McGee Corporation. Several months after the spin-off was completed, Anadarko Petroleum Corporation purchased Kerr-McGee for \$18 billion.

Tronox is currently involved in litigation against Anadarko and Kerr-McGee over allegations that those companies imposed years worth of legacy liabilities, including environmental obligations on Tronox, leaving Tronox insolvent and undercapitalized. The trial is expected to begin in late 2011 or early 2012. Eighty eight percent of any settlement awarded to Tronox, as a result of that litigation, will be used to fund additional cleanup efforts.

Before being considered by the bankruptcy court for approval, the settlement will be lodged with the bankruptcy court for a period of 30 days to provide public notice and to afford members of the public the opportunity to comment on the settlement.

Information about the settlement:

<http://www.epa.gov/compliance/resources/cases/cleanup/cercla/tronox/index.html>

----- Forwarded by Craig Kaufman/DC/USEPA/US on 11/23/2010 06:11 PM -----

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Date: 11/23/2010 05:04 PM
Subject: Tronox - proposed CD and environmental settlement agreement has been lodged with the court today

To all:

I'm happy to report that the proposed global environmental settlement agreement was just lodged with the bankruptcy court today. Attached are PDF copies of what was filed.

We anticipate the agreement will be published in the Federal Register sometime early next week, after the Thanksgiving holiday, but we will email you all when that occurs.

Thanks to all of you for your hard work and cooperation on this matter. Happy Thanksgiving!

<<2010.11.23 NOTICE OF LODGING.pdf>> <<EXHIBIT 1 - PROPOSED CONSENT DECREE & ENVIRONMENTAL SETTLEMENT AGREEMENT.pdf>> <<EXHIBIT 2 - SUMMARY CHART.pdf>>

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